

E-234, 148/SA-90-1158 ORDER APPROVING CHANGES IN ASSIGNED SERVICE  
AREAS

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Darrel L. Peterson  
Cynthia A. Kitlinski  
Dee Knaak  
Norma McKanna  
Patrice M. Vick

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of a Petition from  
Elk River Municipal Utilities  
and Wright-Hennepin Cooperative  
Electric Association to Change a  
Portion of their Mutual Service  
Territory Boundary Near the City  
of Otsego

ISSUE DATE: March 22, 1991

DOCKET NO. E-234, 148/SA-90-1158

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ASSIGNED SERVICE AREAS

**PROCEDURAL HISTORY**

On December 12, 1990 Elk River Municipal Utilities (Elk River) and Wright-Hennepin Cooperative Electric Association (Wright-Hennepin) filed a joint petition to change their service area boundary. The stated purpose of the change was to correct a mistake the utilities had made in preparing the official service area map submitted to the Commission in 1974.

On January 17, 1991 the Department of Public Service filed comments recommending approval of the request.

On February 22, 1991 the Commission issued a Notice of Comment Period and Commission Meeting to allow all interested persons an opportunity to comment. No one opposed approving the service area change.

The matter came before the Commission on March 12, 1991.

**FINDINGS AND CONCLUSIONS**

The assigned service area statute encouraged utilities to agree on service area boundaries and to execute contracts memorializing their agreements. When approved by the Commission, these contracts became valid and enforceable. Minn. Stat. §216B.39, subd. 4 (1990). Elk River and Wright-Hennepin did reach agreement and did execute a contract, which was approved and adopted by the Commission. They have since discovered a mistake in the map memorializing their agreement and request that the map

be changed to reflect their original agreement. The change would not affect existing service arrangements, since there are no customers in the area at issue.

The Commission finds that the proposed change is in the public interest and will further the statutory goal of setting assigned service areas by agreement when possible. The change will be approved.

#### ORDER

1. The assigned service area boundary change requested in the petition at issue is approved.
2. The Department of Public Service shall revise the official service area maps to reflect the boundary change approved herein.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster  
Executive Secretary

(S E A L)